

REMARKS

Reconsideration of the application is requested in view of the amendment to the claims and the remarks presented herein.

The claims in the application are claims 1 to 4, 6 to 11 and 13 to 14, all other claims having been cancelled.

Applicants are submitting a proper information disclosure statement so the references may be printed.

With respect to the 112 rejections, the claims have been completely re-written and recite the process steps. Moreover, “minimal temperature” and “figure” are not used. Claims 5 and 12 have been cancelled. Therefore, withdrawal of these rejections is requested.

All the claims were rejected under 35 USC 103 as being obvious over the Maugard et al reference taken in view of the Bartling et al and Biotechnology and Bioengineering reference taken in further view of the Canadian patent. The Examiner states that Maugard et al reference teaches amidification of glucamines with oleic acid with *Candida antartica* lipase and concedes it does not teach any esterification with an enzyme but cites the Canadian patent and Bartling for this step.

Applicants traverse this ground of rejection as one skilled in the art would not combine the references as the Examiner has done without the benefit of Applicants' teaching. The advantage of Applicants' process is the production of a pure compound of formula I rather than a mixture of all possible combinations obtained through Applicants' selective enzymatic process. The amide formation is effected with a *Candida antartica* lipase and the esterification is effected with a *Rhizomucor miehei* lipase.

Applicants concede Maugard teaches amidification of N-methyl-glucamine with oleic acid catalyzed by *Candida antartica* lipase but it is described as non-selective in scheme 1 (p. 5187) and Table 2 on page 5189 shows that the best ratio of amide/all compounds is obtained with an equivalent of oleic with N-methyl-glucamine while Applicants use stoichiometric amounts to obtain the pure compound.

The Canadian patent teaches a chemical synthesis to produce compounds of formula I whose chemoselectivity is suspect. Although there are no examples, it teaches some examples of enzymes such as *Candida antartica* and *Mucor miehei* but there is no suggestion *Rhizimucor miehei* which is a different family from *Mucor miehei* and there is no teaching of enzymatic selectivity.

The Bartling reference relates to esterification of geraniol with acetic acid catalyzed with *Candida antartica* lipase while the said lipase is used in Applicants'

process for a selective amidification. Therefore, one skilled in the art would not combine the references to obtain Applicants' selective amidification and esterification with Applicants' enzyme lipases without the benefit of Applicants' teaching. Therefore, withdrawal of this rejection is requested.

In view of the amendment to the claims and the above remarks, it is believed that the claims point out Applicants' patentable contribution. Therefore, favorable reconsideration of the application is requested.

Respectfully submitted,
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Enclosures